

REMARKS

These amendments and remarks are in response to the Office Action dated December 5, 2008. Applicants respectfully request a three-month extension of time and authorization is given to charge Deposit Account No. 50-0951 for the appropriate fees.

In the Office Action, objections were raised to claims 1 and 2. Claims 1 and 2 were also rejected under 35 U.S.C. §103(a). The objections and rejections are discussed in more detail below.

I. Objections to the Claims

Claims 1 and 2 were objected to for the informalities listed in the Office Action. Appropriate amendments have been made herein, and withdrawal of the objection is thus respectfully requested. Claim 1 has also been reworded to state that the long sides are arranged on the imaginary cylinders, rather than the ends of the short sides. This is supported by the application as filed, for example, on page 5 lines 10-15 which states that "[t]he opposite ends of said short side, which substantially coincide with the ends, for example, the upper ends, of the long sides" and on page 5, lines 17-19 "[c]onsequently, the long sides 20, 20a of said first exchanger 12a, are arranged (fig. 2 and fig. 4) on imaginary cylindrical surfaces 22 and 24."

II. Rejections of the claims based on cited art

Claims 1 and 2 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 3,666,423 to Muenger ("*Muenger*") in view of U.S. Patent No. 5,030,789 to Vu et al. ("*Vu*"). Claims 1 and 2 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 3,156,538 to Schneider ("*Schneider*") in view of *Vu*.

Claims 1 and 2 are also provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-12 of copending Application No. 10/566,120 in view of *Vu*.

The comparison made by the Examiner between the reactor disclosed in *Muenger* and the reactor of claim 1 might apply with respect to the two diametrically opposite heat exchangers 42 that are located in parallel planes equidistant from the central vertical axis, only. In other words, if

figure 3 of *Muenger* is considered, this might apply to the very left and the very right exchangers 42 or to the uppermost and lowermost exchangers 42, only, but not to both, otherwise the claimed requirement of imaginary cylindrical surfaces having their centers arranged on a same diameter of the shell would not be satisfied. The heat exchangers of *Muenger* are arranged parallel to two perpendicular diameters, and are not arranged on imaginary cylindrical surfaces.

To the contrary, the claimed reactor requires that all exchangers supported in the reaction zone defined in the shell satisfy the requirements recited in claim 1, for example that the vertical long sides (21) of the heat exchangers are arranged on imaginary cylindrical surfaces having the same radius as the inner radius of the shell and having centers all arranged along the same diameter of the shell.

The above observations also apply to *Schneider* which has the heat exchangers arranged parallel to two perpendicular diameters, and to *Vu* which has the cooling devices arranged parallel with tangents to the circumference of the shell.

It is immediately apparent that the claimed reactor is drastically different from the reactor disclosed in *Muenger*, *Schneider* or *Vu* since the latter documents do not disclose or suggest the arrangement of heat exchangers required claim 1. Thanks to the claimed reactor it is advantageously possible to solve the technical problem as set forth in the description at page 2, line 26 to page 3, line 2.

For the foregoing reasons, the subject-matter of present claim 1 is patentable over the prior art. Dependent claim 2 is also believed allowable because of its dependence upon an allowable base claim, and because of the further features recited. Reconsideration of the application, and issuance of a Notice of Allowance is thus respectfully requested.

III. Conclusion

Applicant has made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the

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Amendment


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prosecution of the application to an allowance. In view of the foregoing remarks, Applicant respectfully requests reconsideration and prompt allowance of the pending claims.

Respectfully submitted,

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